



U.S. Department of Justice

United States Attorney  
Southern District of New York

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

December 9, 2015

**BY ECF**

The Honorable William H. Pauley, III  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: United States v. James Capers et al.,  
15 Cr. 607 (WHP)**

Dear Judge Pauley:

The Government writes to respectfully request that the status conference in the above-captioned case, which is currently scheduled for December 18, 2015, be adjourned until 3:00 p.m. on January 29, 2016. At present, the Government has recently provided discovery, which defense counsel is beginning to review to determine whether to file any motions. The parties also intend to engage in preliminary discussions regarding the possibility of pretrial dispositions. Accordingly, the Government requests that time be excluded between December 18, 2015 and January 29, 2016, in order for defense counsel to review discovery and for the parties to attempt to work out dispositions of the case. The Government has conferred with defense counsel, all of whom have indicated that they consent to the adjournment of the conference and exclusion of time. A proposed Order for the Court's consideration is enclosed.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By: Jessica Lonergan  
Jessica Lonergan  
Scott Hartman  
Jason Swergold  
Assistant United States Attorneys  
(212) 637-1038 / 2357 / 1023

cc: all counsel (by ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x  
UNITED STATES OF AMERICA :  
 : ORDER  
 - v. - :  
 : 15 Cr. 607 (WHP)  
JAMES CAPERS et al., :  
 :  
 Defendants. :

- - - - - x  
Upon the application of the United States of America, by  
and through Preet Bharara, United States Attorney, Jessica  
Lonergan, Scott Hartman, and Jason Swergold, of counsel:

The Court finds that the ends of justice served by granting  
a continuance outweigh the best interests of the public and the  
defendants in a speedy trial, because it will permit defense  
counsel to review discovery and the parties to discuss possible  
pretrial dispositions. Accordingly, it is ORDERED that the time  
between December 18, 2015 and January 29, 2016 is hereby  
excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A),  
in the interests of justice.

SO ORDERED.

Dated: New York, New York  
December \_\_, 2015

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THE HONORABLE WILLIAM H. PAULEY, III  
UNITED STATES DISTRICT JUDGE